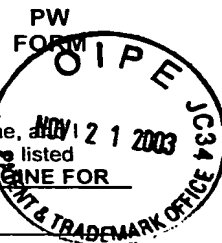


FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED PERSONALIZATION ENGINE FOR  
**RULES AND KNOWLEDGE**

the specification of which (CHECK applicable BOX(ES))  
X A. ☐ is attached hereto.  
BOX(ES) → B. ☒ was filed on February 1, 2001 as U.S. Application No. /  
→ C. ☐ was filed as PCT International Application No. PCT/ / on /  
and (if applicable to U.S. or PCT application) was amended on /

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

**PRIOR FOREIGN APPLICATION(S)**  
Number Country

Day/MONTH/Year Filed

Date first Laid-  
open or Published

Date Patented  
or Granted

Priorities NOT Claimed

DEC 01 2003

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If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

**PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)**  
Application No. (series code/serial no.) Day/MONTH/Year Filed  
60/179,573 01/02/00

Status  
pending, abandoned, patented

Priorities NOT Claimed

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Kendrew H. Colton	30368	Roger R. Wise	31204	Anthony L. Miele	34393
G. Lloyd Knight	17698	G. Paul Edgell	24238	Michael R. Dzwonczyk	36787	Robert J. Walters	40862
Kevin E. Joyce	20508	Lynn E. Eccleston	35861	W. Patrick Bengtsson	32456	Brian J. Beatus	38825
George M. Sirilla	18221	Timothy J. Klima	34852	Jack S. Barufka	37087		
Donald J. Bird	25323	David A. Jakopin	32995	Adam R. Hess	41835		
Dale S. Lazar	28872	Mark G. Paulson	30793	William P. Atkins	38821		
Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Paul L. Sharer	36004		
Glenn J. Perry	28458	Richard H. Zaitlen	27248	Robin L. Teskin	35030		

(1) INVENTOR'S SIGNATURE

Date: 2/28/01

RUSSELL		A.		ROGERS	
First	Middle Initial	Family Name			
Residence	Bath	ME		USA	
City	State/Foreign Country		Country of Citizenship		
Mailing Address	HC33 Box 170, Bath, ME				
(include Zip Code)	04530				

(2) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Mailing Address			
(include Zip Code)			

"X" box ☐ FOR ADDITIONAL INVENTORS, and proceed on the attached page to list each additional inventor.  
☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P

(M#)

BEST AVAILABLE COPY

Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)  
**PATENT AND TRADEMARK CASES - RULES OF PRACTICE**  
**DUTY OF DISCLOSURE**

- (a) ... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

**PATENT LAWS 35 U.S.C.**

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**§102. Conditions for patentability; novelty and loss of right to patent**

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A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**§103. Condition for patentability; non-obvious subject matter**

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

\* Six months for Design Applications (35 U.S.C. 172).

**RECORDATION FORM COVER SHEET  
PATENT APPLICATIONS & PATENTS ONLY**

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:  
SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

## 1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. Russell A. ROGERS

3.

5.

7.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

## 2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: PRIMECLOUD INC.

ADDRESS: 1177 High Ridge Road, Stamford, CT 06905

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

## 3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

☒ ASSIGNMENT OF ☒ WHOLE ☐ PART INTEREST  
☒ ORIGINAL ☐ FACSIMILE/PHOTOCOPY  
☐ CHANGE OF NAME ☐ VERIFIED TRANSLATION  
☐ SECURITY ☐ MERGER ☐ OTHER:

EXEC. DATE: February 28, 2001

EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (**NOTE:** IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!) February 28, 20014.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☒ NO

A. PAT. APP. NO.(S) series code/serial no.	M#	1 <sup>st</sup> INVENTOR if not in item 1	B. PATENT NO(S)	M#	1 <sup>st</sup> INVENTOR if not in item 1
09/774,879	276778				

5. Name &amp; Address of Party to Whom Correspondence Concerning Document Should be Mailed:

Pillsbury Winthrop LLP  
Intellectual Property Group  
1600 Tysons Boulevard  
McLean, VA 22102

6. NUMBER INVOLVED:

APPLNS 1 + PATS 0 = TOTAL = 1

7. AMOUNT OF FEE ENCLOSED: (Code 581)

ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:

P 276778

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975

UNDER ORDER NO	201634	276778
dup. sheet not required	CLIENT NO.	MATTER NO.

MATTER NO.

CLIENT REF.

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet)

3

Attorney: Jack S. Barufka

Reg. No. 37087

Atty/Sec: JSB/rsp

TEL: (703) 905-2012

Date: February 4, 2002

FAX: (703) 905-2500

FILE WITH PTO RETURN RECEIPT (PAT-103A)

Please return signed/recorded to:  
Pillsbury Winthrop LLP  
Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

Atty. Dkt. PMS 276778  
M#

Client Ref.

**ASSIGNMENT**  
**of U.S. Origin Patent Application**

**RECEIVED**

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WHEREAS, the undersigned, to wit:

1) RUSSELL A. ROGERS

2) \_\_\_\_\_

3) \_\_\_\_\_

4) \_\_\_\_\_

5) \_\_\_\_\_

6) \_\_\_\_\_

7) \_\_\_\_\_

8) \_\_\_\_\_

(hereinafter collectively ASSIGNOR), has/have made an invention known as Dkt. 201634/276778

and entitled: PERSONALIZATION ENGINE FOR RULES AND KNOWLEDGE

for which an application for Letters Patent of the United States

☐ was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;

☒ was filed on February 1, 2001, Appln. No. 09 / 774,879;

AND WHEREAS PrimeCloud Inc.

(hereinafter ASSIGNEE), duly organized and existing under the laws of the State of \_\_\_\_\_

and having its principal office and place of business at 1177 High Ridge Road, Stamford, CT 06905

desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

NOTE: The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date(s) below indicated.

Signature

Date Signed

Witness

1) X Russell A. Rogers

X 2/28/01

X Nancy S Rogers

Name: RUSSELL A.  
ROGERS

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2) \_\_\_\_\_  
Name: \_\_\_\_\_

3) \_\_\_\_\_  
Name: \_\_\_\_\_

4) \_\_\_\_\_  
Name: \_\_\_\_\_

5) \_\_\_\_\_  
Name: \_\_\_\_\_

6) \_\_\_\_\_  
Name: \_\_\_\_\_

7) \_\_\_\_\_  
Name: \_\_\_\_\_

8) \_\_\_\_\_  
Name: \_\_\_\_\_